

COMMITTEE ON LAND USE
(Standing Committee of Berkeley County Council)

Chairman: Mr. Phillip Farley, Council Member District No. 1

A **meeting** of the **Committee on Land Use**, Standing Committee of Berkeley County Council, was held on **Monday, June 11, 2012**, in the Assembly Room of the Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, at **6:26 p.m.**

PRESENT: Chairman Phillip Farley, Council District No. 1; Committee Member Caldwell Pinckney, Jr., Council District No. 7; Committee Member Steve C. Davis, Council District No. 8; ex-officios: Mr. Daniel W. Davis, County Supervisor and Mr. Timothy J. Callanan, Council District No. 2; Mr. Dennis Fish, Council District No. 5. Also Present: Ms. Nicole Scott Ewing, County Attorney and Mrs. Catherine R. Windham, Interim Clerk to Council. Excused from this Meeting: Committee Member Cathy S. Davis, Council District No. 4; Committee Member Jack H. Schurlknight, Council District No. 6; and Mr. Robert O. Call, Council District No. 3.

CALL TO ORDER

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

Chairman Farley: "I'd like to call the Meeting on Land Use to order. Mrs. Clerk, has this meeting been properly noticed via the Freedom of Information Act?"

Mrs. Windham: "Yes sir, it has."

Chairman Farley: "Thank you."

APPROVAL OF MINUTES:

May 14, 2012

Chairman Farley: "First on the agenda is the approval of minutes from the May 14, 2012 meeting."

Committee Member Pinckney: "So move."

Committee Member S. Davis: "Second."

Chairman Farley: "I have a motion and a second. Is there any corrections? (No Response). All in favor? (Ayes) All opposed? (No Response). Motion carries."

It was moved by Committee Member Mr. Pinckney and seconded by Committee Member Mr. S. Davis to **approve** the minutes as presented. The motion passed by unanimous voice vote of the Committee.

Chairman Farley: "Next is..."

A. Consideration prior to First Reading of the following:

1. **REQUEST BY WILLIAM AND THERESA PRICE, LOCATED AT 248 HARVEST ROAD, MONCKS CORNER, TMS #195-12-01-006, (3.66 ± ACRES), FROM R-2, MANUFACTURED RESIDENTIAL DISTRICT, TO R-2R(F), MOBILE HOME RURAL FARM RESIDENTIAL DISTRICT. COUNCIL DISTRICT 6**
[Staff recommended approval]
[Planning Commission recommended approval unanimously]

Committee Member Pinckney: "Move for approval."

Committee Member S. Davis: "Second."

Chairman Farley: "I have a motion and a second. Is there any discussion? (No Response) All in favor? (Ayes) All opposed? (No Response) Motion carries."

It was moved by Committee Member Mr. Pinckney and seconded by Committee Member Mr. S. Davis to **approve** consideration, prior to First Reading, a request by **William and Teresa Price, R-2, Manufactured Residential District, to R-2R(F), Mobile Home Rural Farm Residential District.** The motion passed by unanimous voice vote of the Committee

2. **REQUEST BY RAY SEDGWICK, LOCATED AT 1020 ENGLISH DRIVE (CANAL LAKES FISH CAMP), CROSS, TMS #031-00-03-044 AND TMS #031-00-03-045, (10.12 ± ACRES), FROM GC, GENERAL COMMERCIAL DISTRICT (-044), AND R-3, MOBILE HOME PARK DISTRICT (-045), TO RNC, RURAL NEIGHBORHOOD COMMERCIAL DISTRICT. COUNCIL DISTRICT 7**
[Staff recommended approval]
[Planning Commission recommended approval unanimously]

Committee Member Pinckney: "Move for approval."

Committee Member S. Davis: "Second."

Chairman Farley: "I have a motion and a second. Is there any discussion? (No Response) All in favor? (Ayes) All opposed? (No Response) Motion carries."

It was moved by Committee Member Mr. Pinckney and seconded by Committee Member Mr. S. Davis to **approve** consideration, prior to First Reading, a request by **Ray Sedgwick, GC, General Commercial District (-044), and R-3, Mobile Home Park District (-045), to RNC, Rural Neighborhood Commercial District.** The motion passed by unanimous voice vote of the Committee.

Chairman Farley: "Next is..."

3. An **ordinance** approving a temporary moratorium in regards to **simulated gambling devices** and specifically invoking the pending zoning ordinance by reference thereto.

Committee Member Pinckney: "Move for approval."

Chairman Farley: "I have a motion."

Committee Member S. Davis: "Second, just for discussion."

Chairman Farley: "And we have a second. Discussion now, Mr. Greenway?"

Mr. Eric Greenway: "Yes, this is a situation that has recently arisen here in the County and in other counties in the State of South Carolina regarding what some people refer to as, Internet Cafes. Essentially, what's happening is these facilities are popping up in the County and there's a bank of computer's inside of the facility and essentially people pay a fee to go in and play what they call sweepstakes games for tokens and things like that. This is an issue that several jurisdictions have adopted similar moratoriums on to give us, to give the State and the Law Enforcement Agencies in the State an opportunity to try grapple with what's going on here and what these facilities mean in relationship to the video gambling laws that exist in the County and we'd thought we'd bring this before you all to make you aware of the situation. A potential for blight and other activities that we may not want to see in the County at this point, until we can figure out how to deal with them and appropriately regulate them. So, that's all I have unless you all have any questions."

Committee Member Pinckney: "Let me ask a question. Had you contacted the Association of Counties to see if they have any plan of action in regards to this since it's happening in other counties?"

Mr. Greenway: "Yeah, we have not contact the Association of Counties. Again, I think this is happening on a county by county basis as to...a lot of counties around us here that have dealt with this issue. Just trying to get a hold on it so, we have not contacted the Association of Counties to see if they've adopted a plan to deal with it. Some jurisdictions are saying it's a State issue and the State needs to deal with it. Other jurisdictions are adopting these moratoriums for a period of time so that the zoning regulations can be dealt with appropriately to appropriately regulate these users. It's a difficult thing for us right now because what we're basically having to do is treat them as what they're called and there calling them Internet Cafes. Which, with our transportation impact fee, I have to assess the transportation impact fee as a restaurant which causes them basically to argue with us, that they're really not a café even though that's what they've put on their permit application on their plans; that they're not serving food or whatever...so. Even from just finding a category to put these uses in from a zoning standpoint is a major issue for us in the Zoning Department."

Councilman Callanan: "Mr. Chairman?"

Chairman Farley: "Yes, Mr. Callanan?"

Councilman Callanan: "So, there are existing one's opened up correct?"

Mr. Greenway: "Yes, that's correct."

Councilman Callanan: "Operational right now?"

Mr. Greenway: "Yes."

Councilman Callanan: "And this wouldn't affect them at all?"

Mr. Greenway: "That's correct."

Councilman Callanan: "And that's one of the things that concern me. It basically gives them a regulatory monopoly, till we... until it's decided how we want to deal with it. I am on the side that this is something that State Legislature needs to address if they view this as some sort of loophole in the video gambling law. So, that's just my take on it."

Committee Member S. Davis: "Again, I said as my position, I just seconded the motion for discussion. I strongly believe it's a State issue. Especially, in this State when they have a tendency to want to address all situations sometimes on the local level. I believe strongly, that this is a State issue. I'm hearing what Callanan has been talking about one group of people who move at a time when there were no laws in place. But, then again, to me, it just suggests that the State, who fosters and promotes gambling, should be the moving party in this matter. So, I would not support this ordinance at all."

Committee Member Pinckney: "Mr. Chairman?"

Chairman Farley: "Yes sir, Mr. Caldwell Pinckney?"

Committee Member Pinckney: "Eric, what kind of adverse effect it would have on the County if any. I mean, if we was just too kind of hold back and let the State make the decision that we think that it's their jurisdiction to do so?"

Mr. Greenway: "Well, I mean, you know, a lot of these things are popping up in residential areas that are mixed uses where you have commercial development. We have a lot of these current on Red Bank Road. Of course, you have a few schools down in that area. You have a major residential neighborhood in that area. That's one of the concerns is that you know the proximity of these uses to establish stuff like that. The other issue that I have a concern about is the proliferation of inappropriate or improper signage in the County. These types of uses tend to attract a lot of signage. It's the type of signage that we would not approve of in the County and it's just very hard for us with just four Code Enforcement officers to deal with that on a County wide basis. So, it just...one user, will put up a couple of signs and then the next user down the road sees those two signs and then he's got to put up four signs and then that user that saw his

four signs has to put up six signs. So, before you know it, things get out of control and out of hand so, that's my concern and also, you know, whether or not we want to promote this type of use in the County, at this time, from a Zoning standpoint."

Committee Member Pinckney: "Ok, thank you."

Committee Member S. Davis: "I wanna withdraw my motion. Withdraw, Mr. Chairman, my second."

Chairman Farley: "Alright, where do we go? If he wants to take a motion back are you gonna put it on hold, or? Alright, it just won't go..."

County Attorney N. Ewing: "It would die (inaudible). If you vote on a motion to approve and had it fail or it would be known as (inaudible)."

Chairman Farley: "So, you're saying that we can vote?"

County Attorney N. Ewing: "There are two options if Mr. Davis wanted to allow his second to stand, is that he could just have a motion and..."

Committee Member S. Davis: "I don't want it to stand."

County Attorney N. Ewing: "Ok, I'm not really familiar with a process by which a motion."

Committee Member S. Davis: "I said I did it just for discussion, so I did it under reservation and I want to exercise that reservation that promoted."

County Attorney N. Ewing: "Ok."

Committee Member S. Davis: "Because I'm withdrawing, I think we need more information. We believe that it's a State issue and it's something that the State needs to address."

County Attorney N. Ewing: "Well, then if Mr. Davis withdraws his second and there is no second then the motion..."

Mrs. Windham: "Would die..."

County Attorney N. Ewing: "The item would fail for lack of any action. So..."

Chairman Farley: "Alright. With that out of the way...Correct, that one's gone?"

The motion failed for lack of a second.

4. An **ordinance** authorizing the County Supervisor to execute a **Quit Claim Deed** from Berkeley County to **MWV-Sheep Island, LLC**, for the property herein described as a portion of Turtle Pond Road.

Committee Member S. Davis: "Move for approval."

Committee Member Pinckney: "Second."

Chairman Farley: "I have a motion and a second. Is there any discussion? (No Response) All in favor? (Ayes) All opposed? (No Response) Motion carries."

It was moved by Committee Member S. Davis and seconded by Committee Member Pinckney to **approve an ordinance** authorizing the County Supervisor to execute a **Quit Claim Deed** from Berkeley County to **MWV-Sheep Island, LLC** (portion of Turtle Pond Road). The motion passed by unanimous voice vote of the Committee.

Chairman Farley: "Next is..."

5. Consideration of an **amendment** to the **Planned Development Mixed Use Assessment** for Cane Bay Plantation (PDMU) Re: Liquor Stores

Mr. Greenway: "Yes sir, essentially, this amendment pertains only to the Market at Cane Bay property inside the Cane Bay development. My computer stepped out on me here. I would've had a nice map that I could've shown you all. But essentially, right now in the County ordinance we require that liquor stores and bars be measured a thousand feet from schools, churches, playgrounds, daycares and like uses. The problem with the definition is that in this particular case is that the definition says that you measure the distance from the structure of the proposed use to the property line where the school or the church is located. With the Market at Cane Bay, it shares two common property boundaries. One with the high school and one with the middle school, but both the high school and the middle school are a thousand feet away from the left side of the shopping center, where the proposed use in this straight case: a liquor store, would be locating. And we, the owners of that property are proposing that we do an amendment to the PDMU that would basically make distance from the use or the structure where the use is going to occur, 500 feet from that structure to the property line of the adjacent uses. So, I believe the distance if I recall correctly from the portion of the building where the use would be proposed to the high school, is about 1400 feet and I believe the distance from the use to the middle school that's under construction right now, would be about 1100 feet. So, we don't have a problem with it from a planning standpoint. State law requires you to go 500 feet. So, we're making it consistent with the state law. In this particular case, for some reason, we've just decided to double the distance for these particular uses. Which you all know, we had a rezoning recently up in the Santee Circle area where this became an issue. Folks had gotten an alcohol sales license because they met the 500 foot state distance, but then when they came in, found out we had a 1000 foot rule. They couldn't do what they wanted to do. So, it does create some problems. We support the amendment and that's all I have unless you all have any questions?"

Councilman Callanan: "Mr. Chairman?"

Chairman Farley: "Since he's done that, can I get a motion and a second for discussion? We haven't done that yet."

Committee Member Pinckney: "So move."

Committee Member S. Davis: "Second for discussion. Reservation, again."

Chairman Farley: "Alright, Mr. Callanan?"

Councilman Callanan: "What is, just out of curiosity, in order for them to....it's a vacant retail space right? In the shopping center? Do you have any idea off the top of your head what their impact fee is, to move to a package store, or whatever you want to call it?"

Mr. Greenway: "Well, in this particular case with the Market at Cane Bay, we assess the entire facility on retail based on that square footage and I don't know that number per 1000 of square feet. I want to say it's like \$1300-\$1400 per 1000 square feet. I think the impact fee that they paid for the Market at Cane Bay as the whole building, was about \$80,000."

Councilman Callanan: "Ok, thank you."

Committee Member S. Davis: "Also Eric, would it be fair to say that this would allow for commercial bars also?"

Mr. Greenway: "It would, only on the Market at Cane Bay, the way the amendment is worded at this point. But, I don't think that's their intent."

Committee Member S. Davis: "It would be included?"

Mr. Greenway: "It could be, it would be included, yeah. Or, you all could limit it to just a liquor store which I think they would like to do. Their legal counsel is here this evening if you'd like to ask them that question and I think that Nicole needed to say something."

County Attorney N. Ewing: (Inaudible)

Mr. Greenway: "Ok. Yeah, I heard him. So, if you guys would like to hear from him."

Committee Member S. Davis: "Reservations, reference to the commercial bars."

Mr. Greenway: "Yeah and it might be better for me to step aside right now and let you hear from the applicant, if that's suitable to you all."

Chairman Farley: "Mr. Bullwinkel, would you please come up? State your name and address."

Mr. Bullwinkel: "Yes sir, Mr. Chairman, Council Members. George Bullwinkel, 205 King Street. I am the legal representative of the owner. It's not Ben Grambling anymore. This property has been transferred to CB Market, LLC. It's a group out of Atlanta whose built the Publix and is also going to build the other outparcels. Only because Eric doesn't have it available, because of the computer system, I was just going to pass this around (Attached: MAP). What you have in front of you is the actual site plan for the market at Cane Bay. Eric is 100% correct. Cane Bay is about 4000 acres as you know. This amendment is tailored just for this specific area that you have referenced here. The interesting thing about this property is you could build a liquor store on the property. It would just have to be an outparcel so, the use is actually permitted. We're actually talking about the geographic location of the use and I won't...From our perspective, public's perspective, as the anchor tenant and I believe planning, is it generally more acceptable to have it in the confines next to the store and as you see, right here where that red line is, that's the closest proposed building that could be. That's 580 feet from the property line to the middle school. What happens is that property line again, as Eric noted. Is the State law is from structure to structure. Here it's from structure to property line. In between the property line you have half of an easement and then you have a parking lot and then you have the school. So, it's a very unique situation. Again, my clients would limit to just liquor stores. That's all they want on this property. They also don't want an outparcel with a bar even though they could have that right now. That's not their intent, nor is that their agreement."

Committee Member S. Davis: "They could have the bar right now if they wanted it?"

Mr. Bullwinkel: "They could, not within the structure that you see. But, they own this entire parcel and so they could put it, they could have it closer to US17, or 176, as you will note. So, again, I guess my point is, this is more of a location than anything. You have precedent both two other PDMUs in the County right now that you've passed within the last eight months that allowed this similar situation; one being Mead Westvaco at Sheep Island, 17. And one being, well, that you're in the process of Camp Hall. As well as, the one Eric mentioned earlier which is a straight rezoning request I believe."

Committee Member S. Davis: "School is also the main building in Cane Bay."

Mr. Bullwinkel: "Excuse me?"

Committee Member S. Davis: "The school is being in this plantation location also?"

Mr. Bullwinkel: "Yes sir, the three schools that are there and we, as Eric pointed out I believe. We would meet the 500 no matter what for all three schools as required by State Law and I believe he said we're 1,100 from door to door, to any of the closest schools."

Committee Member S. Davis: "That's their law... (Inaudible)"

Mr. Bullwinkel: "The State law we definitely fit into, yes sir."

Committee Member S. Davis: "But the County, we would not?"

Mr. Bullwinkel: "The County we would not because it's my understanding, the County measures it not from the structure to the structure, its structure to the property line and it's a 1000 feet and not 500. So, it's actually, you've increased it two separate times and where we and the planning staff were, is on a number of previous occasions they've allowed developers to do the exact same thing and everyone felt this was a better design than having a liquor store in the parking lot and that's what would likely occur is we would just move closer to 176 and have a free standing liquor store and that necessarily is not the best situation for anyone; was everyone's feeling."

Committee Member S. Davis: "Just camouflage it right on in there in that plantation."

Mr. Bullwinkel: "I guess. We, yeah you know. This is just a function of moving it to, we believe and everyone believes the best location on the property. This is with precedent within Berkeley County and State law."

Committee Member Pinckney: "Mr. Chairman?"

Chairman Farley: "Yes, sir?"

Committee Member Pinckney: "This question goes back to Eric and I need to request Eric, why the difference between the State and the County? I mean the 500? It makes us look that we're so inconsistent."

Mr. Greenway: "Yeah, it does and I would agree with that. I don't think the 1000 foot rule really has anything to do from, with a planning or zoning issue. I just think that was somebody came up with a thing that said if the State requires 500 feet, structure to structure, it would be better for Berkeley County to do a 1000 feet; measure it to the property line. You know, I really can't, I really don't see anything to do with planning regarding that. Particularly in this particular case since it's a mixed use community and you know, this is... and we have alcohol sales in this community now that's closer than the 1000 feet to the schools. The Publix sales beer and wine and it would not comply with the 1000 foot requirement. But, because its, because their predominate sales does not come from the sale of alcohol, they get a pass on the requirement. So, we already have alcohol sales there now, that's less than a 1000 feet from the school."

Committee Member Pinckney: "Is that something that we could look at collectively and see whether or not we all can kind of..."

Mr. Greenway: "And we plan to do that. We've undertaken a rewrite of the zoning code right now from front to back. I'm working through the definition sections of the use tables right now and we plan to propose to you all that we make this consistent with State law, which I think it should be. It does confuse people. Because they go to the State and get their license, the State doesn't check with us and they shouldn't, and they meet that requirement at the state and they get

their alcohol license and they come to us and try to get their up fit permits and we tell them no, you can do that there and it, you try to explain that to somebody that is going through that process. It's really difficult for me to do that. So, anyway..."

Committee Member Pinckney: "Yeah and I realize that in some instances it gives you a little bit of, a little more lead way. Especially, when you're talking about a church and I know we had that situation before in the 1000 feet of course allowed some latitude but there's still some inconsistency here that needs to be rectified."

Mr. Greenway: "Yeah and I think the State process in this particular case with the 500 feet. I still think it protects the church because they're required to advertise it in the paper and..."

Committee Member Pinckney: "Ok."

Mr. Greenway: "You know, typically churches, if they you know, if they get wind of something like that coming in their neighborhood, coming into the community and they don't want it there. Then I've known churches to oppose the issuance of the state license."

Committee Member Pinckney: "Ok."

Mr. Greenway: "Now, how effective that is, I don't know. But, I do know that there is a process that the state can listen to those folks and then probably will be more effective than we could."

Committee Member Pinckney: "Ok."

Councilman Fish: "Mr. Chairman?"

Chairman Farley: "I have a question. You know, you indicated on the site plan that, talk about a grocery store. They generally sell beer and wine in those stores. Doesn't that exempt them also from this?"

Mr. Greenway: "Well, yeah and that's what I was saying earlier that Publix does sell beer and wine. They do not have to comply with a 1000 foot rule because their sales do not predominantly come from the sale of alcohol. It only applies to establishments whose, where 51% or more of their sales, comes from the sale of alcohol. It has to meet the distance requirement. So, we do have alcohol sales occurring on this property currently within a 1000 feet of the high school and the middle school; which is under construction and that's why we didn't take..."

Councilman Fish: "Why, it's common sense actually."

Mr. Greenway: "Right, exactly and you know in this particular case, you know. You have the Del Web Community there. You have a lot of people. This is going to be a facility where they can get this need met or be able to purchase their spirits without having to travel as far on a

public street. So, we support the amendment and I do my shopping there personally but, you know..."

Committee Member Pinckney: (Inaudible)

Mr. Greenway: "Right, that's right. Thank you."

Chairman Farley: "Any more questions?"

Mr. Greenway: "Couldn't resist."

Committee Member S. Davis: "Well, it'd be my contingent, I'll remove my second, unless an amendment to remove the commercial bars from..."

Mr. Greenway: "Yeah, one of the things that you could do is you could amend the proposal to say that you know, you make it..."

Committee Member S. Davis: "Withdraw my second, unless an amendment is made."

Mr. Greenway: "Ok."

Chairman Farley: "Alright, he removed his second. That kills it?"

Councilman Callanan: "No, someone wants to make an amendment..."

Chairman Farley: "Would you like to? Mr. Pinckney, would you like too?"

Committee Member Pinckney: "I made the motion. Can I make that amendment as well?"

County Attorney N. Ewing: "Well, we still need a second on the original motion."

Committee Member Pinckney: (Inaudible)

County Attorney N. Ewing: "Unless the whole entire..."

Councilman Callanan: "You can withdraw your motion and then make the amendment and then vote on the amendment, then reinstitute your motion and then you can reinstitute your second."

Chairman Farley: "He withdrew his motion. You want to withdraw yours?"

Supervisor D. Davis: "He's got to make a motion in order carry it out further."

Councilman Callanan: "Ok."

(Inaudible)

Committee Member S. Davis: "I second it with the amendment that it does not allow commercial bars."

Committee Member Pinckney: "There you go."

Supervisor D. Davis: "I think that'll work."

Committee Member Pinckney: "That'll work."

Chairman Farley: "Ok, alright. We have a motion to consider an amendment with the amendment of no commercial bars. Correct? All in favor? (Ayes) All opposed? (No Response). Motion goes forward."

It was moved by Committee Member Pinckney and seconded by Committee Member S. Davis to **approve** an amendment to the **Planned Development Mixed Use Assessment for Cane Bay Plantation** (PDMU) RE: Liquor Stores **amended**, as follows: insert No Commercial Bars. The motion passed by unanimous voice vote of Council.

B. Review prior to Second Reading of the following:

1. **Bill No. 12-15**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, **re: Brandy Patterson**, 636 South Live Oak Drive, Moncks Corner, **TMS #142-14-00-011**, (0.82 ± acre), from **GC, General Commercial District**, to **R-2, Manufactured Residential District**. Council District 8

Committee Member S. Davis: "Move for approval."

Committee Member Pinckney: "Second."

Chairman Farley: "I have a motion and a second. Is there any discussion? (No Response). All in favor? (Ayes). All opposed? (No Response). The motion carries."

It was moved by Committee Member S. Davis and seconded by Committee Member Pinckney to **approve** consideration, prior to **Second Reading**, of **Bill No. 12-15**. The motion passed by unanimous voice vote of the Committee.

2. **Bill No. 12-16**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, **re: Mead Westvaco Camp Hall, LLC**, located in an area of the County bounded by I-26 to the southwest, SC Highway 27 to the west, and Fish Road to the northeast, Summerville, **TMS #157-00-00-003**, (6,781.16 ± acres), from **F-1, Agricultural District**, to **PD-**

OP/IP, Planned Development Office/Industrial Park District. Council District
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Committee Member Pinckney: "Move for approval."

Committee Member S. Davis: "Second."

Chairman Farley: "I have a motion and a second. Is there any discussion?"

Mr. Greenway: "If I could make one clarification to the Committee. We have had a subsequent request from the Community regarding an item that was left open in the PDOP/IP document with regards to the use of a road out there called Center Line Road for construction traffic and things like that. And the community, just so you all know, has asked the property owners, developer to meet with the South Carolina Department of Transportation to make sure there will not be any problems or hindrances from South Carolina DOT in allowing Mead Westvaco to use that road for construction purposes. And I just wanted to let everyone know because some of the community members here this evening, a developer in their engineer firm is working on that meeting with DOT and are preceding forward with that request."

Chairman Farley: "Good, thank you. Thank you, Eric. All in favor? (Ayes). All opposed? (No Response). The motion carries."

It was moved by Committee Member Pinckney and seconded by Committee Member S. Davis to **approve** consideration, prior to **Second Reading**, of **Bill No. 12-16**. The motion passed by unanimous voice vote of the Committee.

Chairman Farley: "I'd entertain a motion to adjourn."

Committee Member Pinckney: "So move."

Committee Member S. Davis: "Second."

Chairman Farley: "All in favor? (Ayes). All opposed? (No Response). We stand adjourned."

It was moved by Committee Member Pinckney and seconded by Committee Member S. Davis to **adjourn** the Committee on Land Use. The motion passed by unanimous voice vote of the Committee.

The meeting ended at 6:53 p.m.

July 9, 2012
Date Approved

ADDENDUM #1

COMMITTEE ON LAND USE (Standing Committee of Berkeley County Council)

Chairman: Mr. Phillip Farley, District No. 1

Members: Mrs. Cathy S. Davis, District No. 4
Mr. Jack H. Schurlknight, District No. 6
Mr. Caldwell Pinckney, Jr., District No. 7
Mr. Steve C. Davis, District No. 8

Mr. Timothy J. Callanan, District No. 2, ex officio
Mr. Robert O. Call, District No. 3, ex officio
Mr. Dennis Fish, District No. 5, ex officio
Mr. Daniel W. Davis, Supervisor, ex officio

A **meeting** of the **COMMITTEE ON LAND USE**, Standing Committee of Berkeley County Council, will be held on **Monday, June 11, 2012, at 6:00 p.m.**, in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina.

Agenda

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

ADD:

A. Consideration prior to First Reading of the following:

- 5.** Consideration of an **amendment** to the **Planned Development Mixed Use Assessment** for Cane Bay Plantation (PDMU) Re: Liquor Stores

June 7, 2012
S/ Catherine R. Windham
Interim Clerk of County Council

COMMITTEE ON LAND USE
(Standing Committee of Berkeley County Council)

Chairman: Mr. Phillip Farley, District No. 1

Members: Mrs. Cathy S. Davis, District No. 4
Mr. Jack H. Schurlknight, District No. 6
Mr. Caldwell Pinckney, Jr., District No. 7
Mr. Steve C. Davis, District No. 8

Mr. Timothy J. Callanan, District No. 2, ex officio
Mr. Robert O. Call, District No. 3, ex officio
Mr. Dennis Fish, District No. 5, ex officio
Mr. Daniel W. Davis, Supervisor, ex officio

A **meeting** of the **COMMITTEE ON LAND USE**, Standing Committee of Berkeley County Council, will be held on **Monday, June 11, 2012, at 6:00 p.m.**, in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina.

AGENDA

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

INVOCATION

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

APPROVAL OF MINUTES:

May 14, 2012

A. Consideration prior to First Reading of the following:

1. **Request by William and Theresa Price**, located at 248 Harvest Road, Moncks Corner, **TMS #195-12-01-006**, (3.66 ± acres), from **R-2, Manufactured Residential District**, to **R-2R(F), Mobile Home Rural Farm Residential District**. Council District 6
[Staff recommended approval]
[Planning Commission recommended approval unanimously]
2. **Request by Ray Sedgwick**, located at 1020 English Drive (Canal Lakes Fish Camp), Cross, **TMS #031-00-03-044 and TMS #031-00-03-045**, (10.12 ± acres), from **GC, General Commercial District (-044)**, and **R-3, Mobile Home Park District (-045)**, to **RNC, Rural Neighborhood Commercial District**. Council District 7
[Staff recommended approval]
[Planning Commission recommended approval unanimously]
3. An **ordinance** approving a temporary moratorium in regards to **simulated gambling devices** and specifically invoking the pending zoning ordinance by reference thereto.
4. An **ordinance** authorizing the County Supervisor to execute a **Quit Claim Deed** from Berkeley County to **MWV-Sheep Island, LLC**, for the property herein described as a portion of Turtle Pond Road.

B. Review prior to Second Reading of the following:

1. **Bill No. 12-15**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, **re: Brandy Patterson**, 636 South Live Oak Drive, Moncks Corner, **TMS #142-14-00-011**, (0.82 ± acre), from **GC, General Commercial District**, to **R-2, Manufactured Residential District**. Council District 8
2. **Bill No. 12-16**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, **re: Mead Westvaco Camp Hall, LLC**, located in an area of the County bounded by I-26 to the southwest, SC Highway 27 to the west, and Fish Road to the northeast, Summerville, **TMS #157-00-00-003**, (6,781.16 ± acres), from **F-1, Agricultural District**, to **PD-OP/IP, Planned Development Office/Industrial Park District**. Council District 7

June 6, 2012

S/Catherine R. Windham

Interim Clerk of County Council